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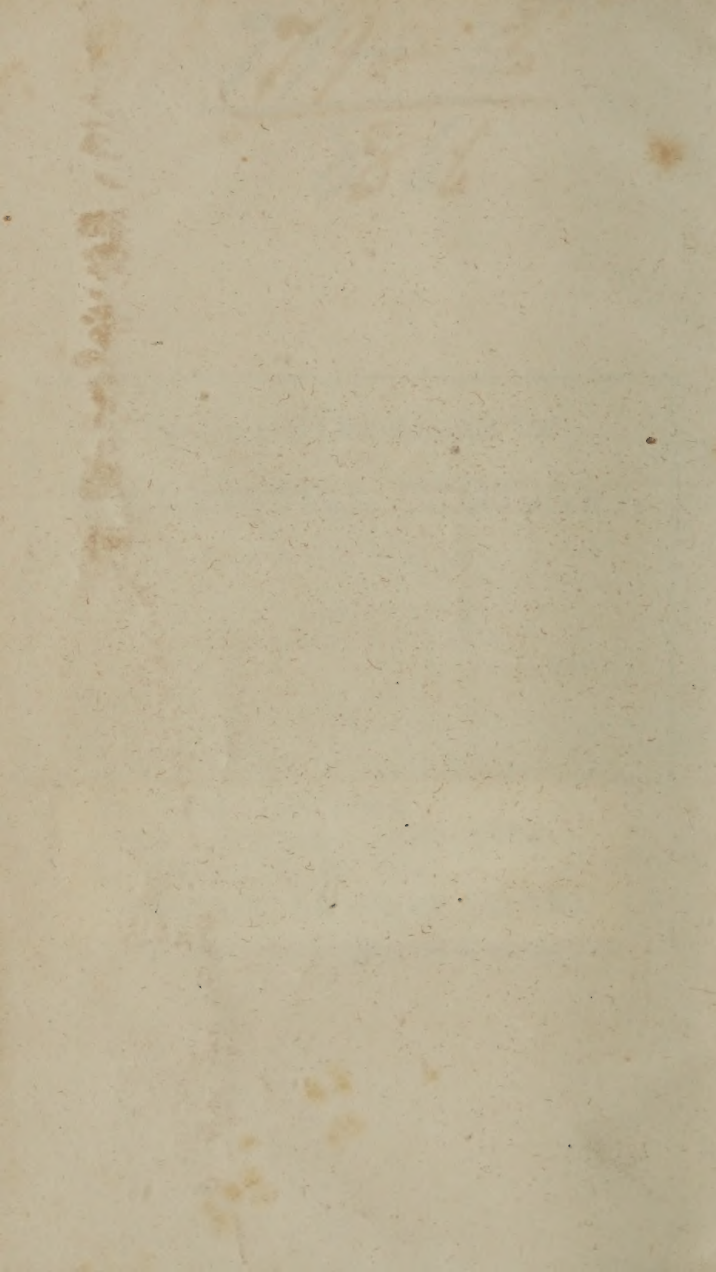


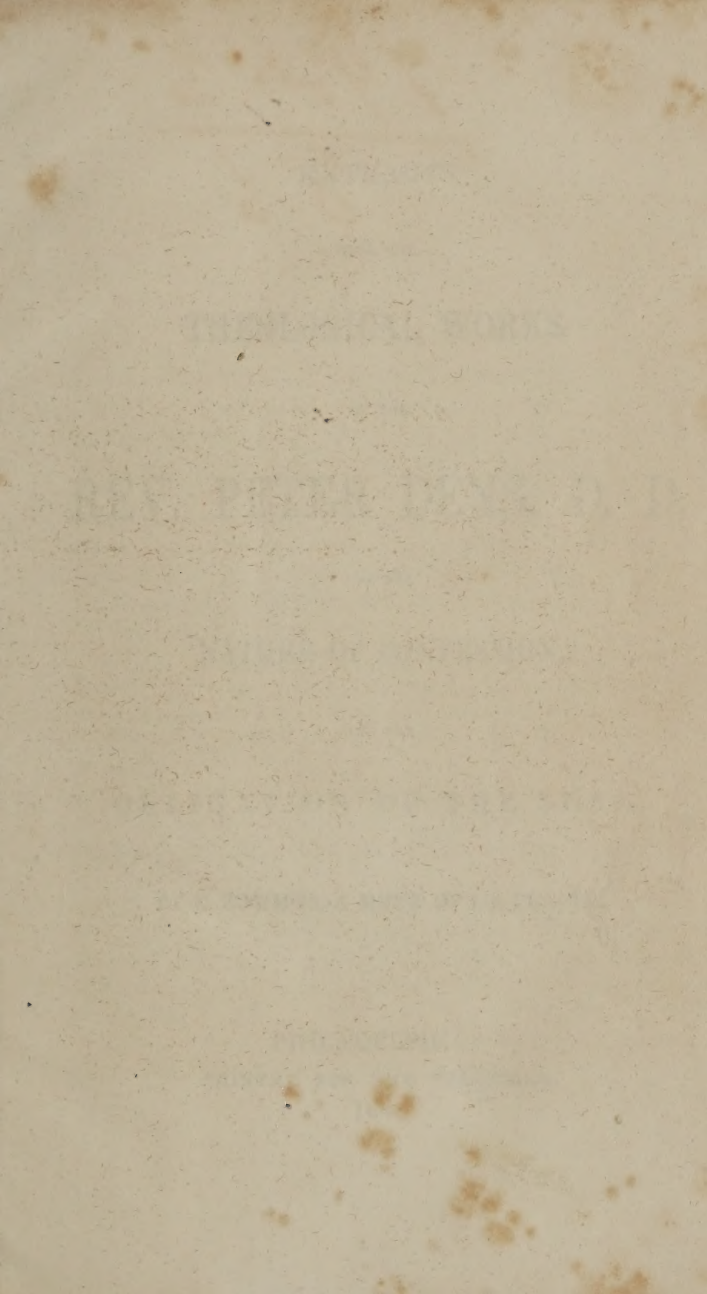
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Letter.....
No..... March 25th 1858

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Extracts from the
theological works of the







EXTRACTS
FROM THE
THEOLOGICAL WORKS
OF THE
REV. PETER DENS, D. D.
ON THE
NATURE OF CONFESSION,
AND THE
OBLIGATION OF THE SEAL.

BY E. ZOSIMUS, A MONK OF LA TRAPPE.

PHILADELPHIA:
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PREFACE.

TO THE READERS.

Fellow Countrymen of every Denomination,

YOU are here presented with a few Extracts from PETER DENS, on the Nature of Confession, and the Obligation of the Seal. As I proceed, I shall set down under each extract the volume and page from which it has been selected. I have made no attempt to exaggerate, color, or embellish: I give them as I have found them in the original; and that the public may see that the work is highly esteemed by the church, I append the following resolutions:

“At a meeting of the Roman Catholic Prelates of Ireland, held on the 14th of Sept. 1808, it was unanimously agreed, that *Dens’ Complete Body of Theology* was the *best book* on the subject that could be re-published.

This resolution was subsequently confirmed by another, passed unanimously at a meeting of Roman Catholic Bishops, held in Dublin on the 25th Feb. 1810, viz:

“*Resolved*—That we do hereby confirm and declare our unaltered adherence to the Resolutions unanimously entered into at our last general meeting, on the 14th Sept. 1810.”—*Wyse’s Hist. Cat. Ass.* vol. 2. Appen. p. 20.

But I proceed to take up the seal of Confession, and subscribe myself, gentlemen, Yours, &c.

Z. DONATUS.

PREFACE

TO THE READERS

Yours Obedient Son, J. D. DONATUS

It has been a pleasure to me to have been permitted with a few friends from
Trenton, N. J., on the 1st of Sept. 1850, to see the
Obligation of the Seal. As I proposed, I shall not
under such circumstances the volume and paper, but
it has been selected. I have made no attempt to
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2. Approx. p. 20.

But I proceed to take up the rest of the edition, and
subscribe myself, gentlemen, Yours &c.

EXTRACTS

FROM

PETER DENS' THEOLOGY.

De Sigillo Confessionis.

Quid est sigillum confessionis sacramentalis?

R. Est obligatio seu debitum celandi ea, quæ ex sacramentali confessione cognoscuntur.—*Dens*, tom. 6. p. 218.

An protest dari casus, in quo licet frangere sigillum sacramentale?

R. Non potest dari; quamvis ab eo penderet vita aut saulus hominis, aut etiam interitus Rei-publicæ: neque summus Pontifex in eo dispensare potest: ut proinde hoc sigilli arcanum magis liget, quam obligatio juramenti,

On the Seal of Confession.

What is the seal of sacramental confession?

Answer. It is the obligation or duty of concealing those things which are learned from sacramental confession.—*Dens*, vol. 6. p. 218.

Can a case be given in which it is lawful to break the sacramental seal?

Answer. It cannot; although the life or safety of a man depended thereon, or even the destruction of the commonwealth; nor can the Supreme Pontiff give dispensation in this; so that, on that account, this secret of the seal is

voti, secreti naturalis, &c. idque ex voluntate Dei positiva.

Quid igitur respondere debet Confessarius interrogatus super veritate, quam per solam confessionem sacramentalem novit?

R. Debet respondere, se nescire eam, et si opus est, idem juramento confirmare.

Obj. Nullo casu licet mentiri, atqui Confessarius ille mentiretur, quai scit veritatum, ergo, &c.

R. Nego minorem; quai talis Confessarius interrogatur ut homo, et respondet ut homo; jam autem not scit ut homo illam veritatem, quamvis sciat ut Deus, ait S. Th. q. II. art. 1. ad. 3. et iste sensus sponte inest re-

more binding than the obligation of an oath, a vow, a natural secret, &c. and that by the positive will of God.

What answer then ought a confessor give when questioned concerning a truth which he knows from sacramental confession only?

Answer. HE OUGHT TO ANSWER THAT HE DOES NOT KNOW IT, AND, IF IT BE NECESSARY, TO CONFIRM THE SAME WITH AN OATH.

Objection. It is in no case lawful to tell a lie, but that Confessor would be guilty of a lie, because he knows the truth, therefore, &c.

Answer. I deny the minor; because such a confessor is questioned as a man, and answers as a man; but now he does not know that truth as a man, though he knows it as God, says St. Thomas, (q. II. art. 1. 3.) and that is

sponsione, nam ¶ quando extra confessionem interrogatur vel respondet, consideratur ut homo.

Quid si directe a Confessario quæatur, utrum illud sciat per confessionem sacramentalem?

R. Hoc casu nihil oportet respondere: ita Steyartum Sylvio; sed interrogatio rejicienda est tanquam impia: vel etiam posset absolute, non relative ad petitionem decere: ego nihil scio, quai vox *ego* restringit ad scientiam humanam.—*Dens*, tom. 6. p. 219.

Quid si quispiam peccata sua Confessario aperiat hac intentione, ut Confessarium irrideat, vel ut eum pertrahat in societatem exequendi malam intentionem?

R. Non oritur sigillum, quia Confessio non est sacramentalis. Ita Romæ judicatum fuisse, refert

the free and natural meaning of the answer, for when he is asked, or when he answers outside confession, he is considered as a man.

What if a Confessor were directly asked whether he knows it through sacramental confession?

Answer. In this case he ought to give no answer, (so Steyart and Sylvius,) but reject the question as impious: or he could even say *absolutely*, not *relatively to the question*, I know nothing, because the word *I* restricts to his human knowledge.—*Dens*, v. 6. p. 219.

But if any one should disclose his sins to a Confessor with the intention of mocking him, or of drawing him into an alliance with him in the execution of a bad intention?

Answer. The seal does not result therefrom, because the confession is not sacramental. Thus, as

Dominicus Soto, in casu, quo quidam accesserat Confessarium intendens eum pertrahere in conjurationis crimen contra Pontificem.—*Dens*, tom. 6. p. 220.

Denique indirecte ad sigillum reduuntur omnia, per quorum revelationem sacramentum redderetur odiosum juxta mores patriæ et temporum varietates: et ita Steyart de Poen. § 13. num. I. p. 226. Ex Wig. animadvertit, aliqua uno tempore adversari sigillo, quæ alio tempore non habentur ut talia.—*Dens*, t. 6. p. 222.

An Confessarius narrans peccata, quæ in confessione audivit, agit contra sigillum?

R. Si nullo modo, nequidem in generali, peccator, seu persona possit agnosci, neque etiam ul-

Dominick Soto relates, it has been *decided* at Rome, in a case in which some one went to a Confessor with the intention of drawing him into a criminal conspiracy against the Pope.—*Dens*, v. 6. p. 220.

In fine, all things are reduced indirectly to the seal, by the revealing of which the sacrament *would be rendered odious according to the manners of the country and the changes of the times*; and thus Steyart observes from Wiggers, *that some things are at one time opposed to the seal, which at another time are not considered as such.*—*Dens*, v. 6. p. 222.

Does a Confessor relating the sins which he has heard in confession, act contrary to the seal?

Answer. If the sinner or person can by no means be discovered, not even in general, nor *any preju-*

lum præjudicium ipsi ex eo obvenire possit, non agit contra sigillum, quid sigillum habet relationem ad pœnitentem sive ad peccatorem.—*Dens*, tom. 6. p. 222.

Propterea provide Doctores onent, ab hisce narrationibus abstinendum, quando nulla utilitatis causa movet, propter scandala, dum populus existimat Confessarium recordari singulorum peccata: et propter periculum remotum et suspiciones aliorum. Narrat Medina, lib. 2. chap. 4. Confessarium sic manifestasse personam adulteram, dum primo dixerat, primam penitentem fuisse confessam adulterium, postea imprudentur nominavit personam, quæ ejus prima penitens fuerat. Qua propter etiam in petendo consilio præstat casum simpliciter proponere, non declarando illum sibi in confessione

dice to himself happen therefrom, he does *not* act contrary to the seal, because the seal has reference to the penitent or sinner.—*Dens*, v. 6. p. 222.

Wherefore the Doctors providentially advise that we should abstain from these narrations, *when not moved to it by reason of utility*, on account of the scandal, were people to suppose that the Confessor recollected the sins of each individual: and on account of the *remote danger* and *suspensions of others*. Medina tells us, book 2. chap. 4. that *a Confessor had thus discovered an adulteress*, by first saying that his first penitent had confessed an adultery, and afterwards imprudently naming the person who had been his first penitent. Wherefore, even in asking advice, it is better to state the case simply, without declaring that it

occurrere.—*Dens*, tom. 6. p. 222.

Quinam obligationem sigilli sacramentalis contrahunt?

R. Omnes illi, ad quos pervenit notitia ex confessione mediate vel immediate, licite vel illicite.

Hoc modo tenentur sigillo interpretes in confessione, et illi, qui circa confessionale considerantes aliquid per accidens audiunt. Peccant autem illi, qui voluntarie auscultant vel audiunt. Similiter illi tenentur sigillo, quibus Confessarius sine licentia pœnitentis, revelavit.

An pœnitens ligatur sigillo sacramentali ad celandum ea, quæ Confessarius eidem dixit?

R. Negative, quia Confessarii dicta non sunt confessio sacramentalis.

has occurred to him in confession.—*Dens*, v. 6. p. 222.

What persons contract the obligation of the sacramental seal?

Answer. All those who have got their knowledge from confession, mediately or immediately, lawfully or unlawfully.

In this manner interpreters in confession are bound by the seal, and those who, sitting about the confessional, accidentally hear any thing. But they commit sin who voluntarily listen or hear. In like manner, they are bound by the seal, *to whom the Confessor has revealed WITHOUT the license of the penitent.*

Is the penitent bound by sacramental seal to conceal those things which the Confessor has said to the same?

Answer. No, because the Confessor's words are not sacramental confession.

Pœnitens tamen tenetur, secreto, naturali, quando illa intentione dicta sunt a Confessario : quod supponitur, quando reverentia sacramenti, vel honor Confessarii, vel aliæ circumstantiæ id requirunt : proinde peccant, qui Confessarii dicta enarrant mere ad risum vel ad contemptum ejusdem.—*Dens*, tom. 6. p. 231.

An Confessarius de licentia pœnitentis potest manifestare ea, quæ audit in confessione ejusdem ?

R. Dupliciter hæc licentia dari potest : Primo ita, ut per eam licentiam det simul Confessario alium cognoscendi modum humanum extra-sacramentalem, ut Confessarius tunc ea cognoscat etiam tanquam homo, puta si pœnitens dicat : ea quæ confessus sum, dico tibi

The penitent however is bound by natural secret, since the words were spoken with that intention by the Confessor, which is supposed, since *the reverence of the sacrament, or the honor of the Confessor, or other circumstances require that:* wherefore they commit sin who relate the words of the Confessor merely for laughter, or through contempt of him.—*Dens*, v. 6. p. 231.

Can a Confessor, with license of the penitent, disclose what he has heard in that penitent's confession ?

Answer. This license can be given in a two-fold way : 1st, so as by that license he may give the Confessor, at the same time, another human extra-sacramental mode of knowing it, in order that the Confessor may then know it even as a man: suppose if the penitent

extra confessionem: et hoc casu nihil ob stare videtur, quin Confessarius ea manifestet (modo absit scandalum) quia non utitur scientia sigilli, sed alia, cognitione humana: et ita sigillum non attingitur.

Obj. Pœnitens non repetivit ea omnia extra confessionem, ergo scientia illa non est extra sigillum.

R. Illa licentia sic data continet æquivalenter seu virtualiter repetitionem; deinde per illam licentiam scientia sigilli accipit alium modum extra-sacramentalem quod sufficit.

Obj. Mali sacerdotes possent sic abuti sigillo, dicendo, se habere licentiam.

R. S. Th. q. II. a. 4.

were to say, what I have confessed to you I tell you without confession: and in this case nothing prevents the Confessor from disclosing, (*providing there be no scandal,*) because he does not use the knowledge of the seal, but another sort of knowledge, namely, human: and thus the seal is not touched.

Obj. The penitent has not repeated all those things without confession, and therefore that knowledge is not without the seal.

Answer. That license thus given equivalently or virtually contains the repetition: besides by that license the knowledge of the seal receives a different extra-sacramental mode, which is sufficient.

Obj. Bad Priests could thus abuse the seal by saying they had liberty.

St. Thomas answers, it

ad 3. incumbit eis probatio receptæ licentiæ; sed creditur Confessario juranti, se obtinuisse licentiam a pœnitente. La Croix, lib. 6. n. 1969.

is incumbent on them to prove they have received the license; but *a Confessor is believed when he swears he has obtained license from the penitent.* La Croix, lib. 6. n. 1969.

Secundo: licentia illa dari potest ita, ut res, quæ, per confessarium alteri revelatur, transeat cum et sub sigillo sacramentali, ut etiam iste, ad quem notitia transit, obligetur sigillo: et de hoc casu videtur dicendum cum Suarez disp. 33. sect. 5. n. q. p. 443, quod pœnitens possit licite et valide talem licentiam dare Confessario, quia sigillum obligat in favorem pœnitentis, qui hoc extendere potest ad alias personas, sicuti dum confitetur per interpretem: et in hoc casu iste, cui Confessarius ex licentia Pœnitentis communicat ligatur sigillo confessionis.

Secondly, that license can be so given, *as that the thing, which is revealed by the Confessor to another, may pass with and under the sacramental seal*, so that even he, to whom the knowledge passes, may be bound by the seal: and with respect to this case, it seems we must say with Suarez, that the penitent can lawfully and validly give such license to the Confessor, because the seal obliges in favor of the penitent, who can extend this to other persons, in the same way as when he confesses by an interpreter; and in this case he, to whom the Confessor with the license of the penitent communi-

Obj. Sigillum obligat etiam ob reverentiam sacramenti, ergo pœnitens non potest licentiam dare. Probatur a pari: sicut Clericus non potest cedere juri Canonis, et dare licentiam, ut percutiatur ab altero.

R. Disparitas est, quod illa licentia Clerici non

cates the knowledge, is bound by the seal of confession.

Obj. The seal obliges even through reverence of the sacrament, therefore the penitent cannot give license. This is proved by an "*a pari*"* argument; as a Cleric can not resign the right or privilege of the Canon, and give license to another to strike him.

Answer. There is a disparity because that license

* *A pari.* By citing a parallel case.

† *Right.* Si quis suadente diabolo hujus sacrilegii reatum incurrerit, quod in Clericum vel Monachum violentes manus injecerit, Anathematis vinculo subjaceat: et nullus Episcoporum illum præsumat absolvere (nisi mortis urgente periculo.)

Vocatur hoc privilegium.

An percutiens liberatur a censura, si Clericus dederit licentiam et cesserit privilegio Canonis?

R. Nullo modo, quia Clericus invalide et illicite cedit illi

Right. If any one at the suggestion of the devil should be guilty of the sacrilege of laying violent hands on a Cleric or a Monk, let him lie beneath the bond of anathema: and let none of the Bishops presume to absolve him, unless urged by the danger of his dying.

This is called the privilege.

Is the striker freed from the censure if the Cleric should have given liberty, and resigned the privilege of the Canon?

Answer. By no means, because the Cleric invalidly and

cederet in favorem Cleri nec istius Clerici, sed directe contra finem Canonis seu legis, sed licentia illa pœnitentis est in favorem pœnitentis et sacramenti, nam per hanc sacramentum pœnitentiæ non redditur odiosum, sed amabile pœnitentibus, eo quod possint secretum sigilli extendere.

Notant etiam Du Jardin sec. 9. § 3. n. 5. Suarez d. 34. § 4. n. 12. Antoine t. 4. Pœn. c. 4. q. 5. Sylvius in q. 11. a. 2. pœnitentem posse aliquando obligari ad similem aliquam licentiam concedendam, alias non absolvendum.

An is, a quo Confessorius cum licentia pœni-

privilegio, quia, statutum est pro honore et reverentia totius Cleri, cui ipse cedere non potest.—No. 227. v. 6.

of the Cleric *would not turn out to the favor of the Clergy, nor of that Cleric*, but directly against the end of the Canon or Law, but that license of the penitent is in favor of the penitent and of the sacrament, for by this the sacrament of penance is *not rendered odious, but lovely to the penitents, because they can thereby EXTEND the secret of the seal.*

Du Jardin also and Suarez, Antoine and Sylvius, remark, that a *penitent can sometimes be compelled to concede some* such license, or OTHERWISE be NOT absolved.

Is he, from whom the Confessor, with the li-

unlawfully resigns that privilege, because it was established for the honor and the reverence of the whole Clergy, which he cannot of himself resign.

tentis petivit consilium, obligatur secreto sigilli?

R. Distinguo; si priori modo suprascripto licentia sit concessa, non obligatur.

Si posteriori modo sit data, obligatur sigillo, quod ordinarie supponi debet, saltem quando res est odiosa: addit La Croix lib. 6. pag. 2. n. 1597, eo casu, alteri esse notificandum quod res communicetur sub sigillo.

An Confessorio licitum est loqui pœnitenti, extra confessionem, de auditis ab ipso in confessione?

R. Negative, quia Confessorius extra confessionem agit ut homo. Id tamen licebit, si pœnitens det licentiam secundum prædicta; censetur autem pœnitens eam dare, si ip-

cense of the penitent, has asked advice, obliged by the secret of the seal?

Answer. I distinguish; if the license has been given in the first way above written, he is not obliged.

If it has been given in the latter way, he is obliged by the seal, which ought *ordinarily* to be supposed, at least since the thing is odious: La Croix adds, that in this case it should be notified to the other, that the circumstance is *communicated* under the seal.

Is it lawful for a Confessor to speak to a penitent, without confession, on the things which he has heard from the penitent in confession?

Answer. No, because the Confessor outside the confession acts as a man. However, it will be lawful, if the penitent give license according to what has been previously said:

se primus interroget vel loquatur Confessario de iis, quæ in confessione aperuit.

An immediate post absolutionem datam Confessarius potest adhuc loqui pœnitente de iis, quæ in confessione exposita sunt?

R. Affirm: quamdiu scilicet pœnitens est in Confessionali, et in quantum convenit pœnitenti, quia monere, instruere, corrigere, consulere spectent ad complementum ejusdem functionis sacramentalis, sicut licet imponere satisfactionem post absolutionem.—*Dens*, t. 6. pp. 232-4.

An Confessario licitum est utia scientia accepta ex sola confessione sacramentali alterius?

Quamvis semper sit il-

but the penitent is supposed to give it, if he should first interrogate or speak to the Confessor about what he has disclosed in confession.

Can the Confessor, immediately after giving absolution, as yet speak to the penitent about what has been exposed in confession?

Answer. Yes: as long indeed as the penitent is in the Confessional, and as far as it is suitable to the penitent, because to advise, to instruct, to correct, to consult, tend to the completion of that same sacramental function, just as it is allowed to impose satisfaction after absolution.—*Dens*, v. 6. pp. 232-4.

Is it lawful for a Confessor to avail himself of that knowledge which he has acquired solely from the sacramental confession of another?

Although it is always

licitum frangere sigillum, quæritur tamen: utrum sit contra reverentiam sigilli, agere aliquid vel omittere aliquid ex illa scientia, quod alias Confessarius non fecisset? Ad quod respondetur, id aliquando esse contra sigillum, aliquando non esse.

Quandonam est contra sigillum uti scientia confessionis?

R. Quando subest periculum, ne aliquid directe vel indirecte reveletur de confessione personæ cognitæ. Imo, quamvis nullum tale periculum apparet, neque etiam sciatur, Confessarium uti scientia confessionis, si equidem illud cederet in gravamen, verum vel apprehensum, pœnitentis vel complicitis, ageretur contra sigillum, in quantum confessio sic posset

unlawful to break the seal, however it is inquired whether it is contrary to the reverence of the seal, to do any thing, or to omit any thing, on account of that knowledge which the Confessor could otherwise not have done? To which it is answered, *it is sometimes contrary to the seal, and sometimes NOT.*

When it is contrary to the seal to make use of the knowledge of confession?

Answer. When it is attended with danger, lest any thing be revealed directly or indirectly respecting the confession of a *known* person. Nay, although no such danger appears, and although it be not known that the Confessor avails himself of the knowledge of confession, yet if it might turn out to be real or apprehended grievance to the penitent or his accom-

reddi odiosa: v. g. si Confessarius ex sola cognitione confessionis neget pœnitenti vel complici testimonium morum.—*Dens*, tom. 6. p. 235.

Quandonam licitem est uti scientia in confessione acquisita?

R. Quando peccator nullo modo manifestatur, nullum quoque gravamen ei aut alteri generatur, nihil denique intervenit, quod odiosam reddit confessionem.—*Dens*, tom. 6. p. 238.

Similiter, si ex confessione cognoscat in Parochia spargi hæreses, serpere quædam vitia et peccata, poterit per generales instructiones et monitiones, præmunire fidelis contra similia peccata, sic ut personam non prodatur.—*Dens*, tom. 6. p. 238.

plice, it would be acting contrary to the seal, in as much as confession *would thus be rendered odious*: for instance, *if a Confessor should from the sole knowledge of confession deny a penitent or his accomplice a testimonium of morals*.—*Dens*, v. 6. p. 235.

When is it lawful for the Confessor to make use of the knowledge acquired in confession?

Answer. When the sinner is by no means discovered; also when no grievance is occasioned to him or to another; in fine, *when nothing intervenes to render confession odious*.—*Dens*, v. 6. p. 238.

In like manner, if he should learn from confession, that *heresies are being spread* in his parish, that certain vices and sins are creeping on, he'll be able, by general instructions and monitions, to guard the faithful against such sins, so as not to dis-

An autem conditio educandi prolem in hæresi, v. g. ut filii sequantur patrem hæreticum in sua secta, et filiæ matrem Catholicam, repugnet substantiæ matrimonii?

R. Observat Daelman, quod si pars Catholica sub tali conditione iniens matrimonium, directe intendere educationem prolis in hæresi, invalidum: foret matrimonium: unde supponitur, inquit, quod duntaxat se obliget, quod talem educationem non sit impeditura.

Irrita interim est hujusmodi stipulatio, cum repugnet obligationi parentum; et licet aliqui conentur tale pactum excusare, dum pars Catholica tantum

close the person.—*Dens*, v. 6. p. 238.

But is the condition of educating the offspring in heresy repugnant to the substance of matrimony, namely, that the sons may follow their heretical father in his sect, and daughters their Catholic mother?

Answer. Daelman observes, that if the Catholic party entering matrimony under such condition, directly intended the education of her offspring in heresy, the marriage would be invalid; whence it is supposed, he says, that she only obliges herself not to prevent such education.

Then, after giving the opinions of other Divines, he proceeds:

In the mean time, this kind of stipulation is null, since it is repugnant to the obligation of parents; and although some endeavor to excuse such compact,

se obligat ad permittendum talem educationem ex causa vitandi majoris mali in communitate, ubi Catholici et hæretici permixti vivunt: attamen dicendum cum Pontio, Braunman, et Reiffenstuel, simile matrimonium cum expresso aut tacito pacto, vel sub conditione, "ut vel omnes vel aliquæ proles, v. g. masculæ educantur in secta patris hæretici," semper et ubique esse illicitum iniquissimum et graviter peccaminosum contra naturalem parentum obligationem, ac contra jus divinum et ecclesiasticum: Et enim quivis parentum tenetur ex pietate curare, ut proles in vera fide educetur, mediaque ad salutem necessaria acquirat: ergo non potest pacto se obligare, quo permetteret educationem prolis in secta damnabili.

whilst the Catholic party only obliges herself to permit such education for the sake of avoiding greater evil in a community where Catholics and heretics lived mingled together: however, we must say with Pontius, Braunman, and Reiffenstuel, that such marriage, with express or tacit compact, or under the condition "that either all, or any of the children, for instance, the males, be educated in the sect of their heretical father," is ALWAYS and EVERY WHERE *unlawful, most iniquitous, and grievously sinful against the natural obligation of parents, and against the divine and ecclesiastical law*; for every parent is bound piously to take care that the offspring be educated in the true faith, and acquire the necessary means for salvation: therefore *she is bound by no obligation to permit the*

Nec contra faciunt usus et consuetudo palam in pluribus locis existentes: nam pactum hoc est contra jus divinum, contra quod consuetudo etiam immemorialis nihil operatur.—*Dens*, tom. 7. pp. 144–5.

Nota quod si Catholicus scienter contrahat matrimonium cum parte hæretica, non possit ex eo capite se ab ea seperare, quia renunciavit juri Divortii; excipe tamen nisi hæreticus conversionem suam promississet, nec stare promissis; item si Catholicus sciat sibi imminere periculum amittendæ fidei ex cohabitatione cum hæretica.—*Dens*; tom. 7. p. 180.

Similiter Sanchez existimat in copula fornicaria partis Catholicæ cum hæretica reperiri malitiam

education of her offspring in a *damnable sect*.

Nor does usage and custom openly existing in several places, make against this: for this compact is against divine law, against which even immemorial custom operates nothing.—*Dens*, v. 7. pp. 144–5.

Take note, that if a Catholic knowingly contract marriage with a heretic, he cannot on that head separate himself from her, because he has renounced the right of divorce; *except, however, unless the heretic promised her conversion, and would not stand to her promise: in like manner, if the Catholic knows that he is in imminent danger of losing the faith by cohabiting with a heretic.*—*Dens*, v. 7. p. 180.

In like manner, Sanchez is of opinion that when a Catholic commits fornication with a heretic,

contra religionem; quia quamvis validum sit matrimonium cum parte hæretica, per se tamen est illicitum, et dedecus religionis, item ob periculum perversionis, educationis proles in hæresi, quæ rationes militant etiam in copula fornicaria.—*Dens*, tom. 7. p. 196–7.

Quid intelligitur per casus reservatos?

R. Intelliguntur peccata quædam, quorum absolutionem sacramentalem superior specialiter sibi reservat.

Hæc reservatio simplex non est censura, cum non sit proprie pœna, sed simplex negatio approbationis vel jurisdictionis.—*Dens*, tom. 6. p. 263.

Quis potest reservare peccata?

R. Ille Superior, cui competit concedere appro-

there is found in the act a malice against religion; because although the marriage of a Catholic with a heretic is valid, *it is*, however, *in itself invalid* and *a disgrace to religion*, as also on account of the danger of perversion, and of educating the offspring in heresy, which reasons militate even in fornicarious copulation.—*Dens*, v. 7. p. 197.

What is understood by reserved cases?

Answer. Certain sins, the sacramental absolution of which the superior specially reserves to himself.

This simple reservation is not a censure, since it is not properly a punishment, but a simple negation of approbation or jurisdiction.—*Dens*, v. 6. p. 263.

Who can reserve sins?

Answer. That Superior for whom it is competent

bationem vel jurisdictionem ad absolvendum a peccatis.

Summus Pontifex discernit casus reservados pro universa Ecclesia; Episcopus pro sua Diocesi; Superiores Regularium pro suis subditis casus reservare possunt, sed juxta limitationem Clementis VIII.—*Dens*, tom. 6. p. 270.

to grant approbation or jurisdiction to absolve from sins.

The Supreme Pontiff determines the reserved cases for the universal Church; the Bishop of his own Diocese; the Superiors of Regulars can reserve cases for their subjects, but according to the limitation of Clement the VIII.—*Dens*, v. 6. p. 270.

De Absolutione Complicis.

“Advertendum quod nullus Confessarius, extra mortis periculum, licet alias habeat potestatem absolvendi a reservatis, absolvere possit aut valeat a peccato quolibet mortali externo contra castitatem, complicem in eodem secum peccato.”

On the Absolution of an Accomplice.

“*Let it be observed that, except in case of danger of death, no Confessor, though he may otherwise have the power of absolving from reserved cases, may or can absolve his accomplice in any external mortal sin against chastity, committed by the accomplice with the Confessor himself.*”

Hic casus complicitis non collocatur inter casus reservatos, quia Episcopus non reservat sibi absolutionem, sed quilibet alius Confessarius potest ab eo absolvere, præterquam sacerdos complex.

An comprehenditur masculus complex in peccato venereo v. g. per tactus?

R. Affirmative, quia Pontifex extendit ad qualemcunque personam.

Non requiritur ut hoc peccatum complicitis patratum sit in confessione, vel occasione confessionis: quocunque enim loco vel tempore factum est, etiam antequam esset Confessarius, facit casum complicitis.

Nota ultimo, cum restrictio fiat ad peccata carnis, poterit Confessarius complicem in aliis peccatis, v. g. in furto,

This case of an accomplice is NOT placed amongst the reserved cases, because the Bishop does NOT reserve the absolution to himself, but any other Confessor can absolve from it, except the priest who is himself the partner in the act.

Is a male accomplice in venereal sin, to wit, by touches, comprehended in this decree?

Answer. Yes, because the Pope extends it to whatsoever person.

It is not required that this sin of an accomplice be committed in confession, or by occasion of confession; for in whatever place or time it has been done, even before he was her Confessor, it makes a case of an accomplice.

Lastly, take note, that since the restriction is made to carnal sins, the Confessor will be able to give valid absolution to

homocidio, &c. valide absolvere.—*Dens*, tom. 6, pp. 291–2.

his accomplice in other sins, namely, in theft, in homicide, &c.—*Dens*, v. 6, pp. 291–2.

After telling us that, in obedience to a bull of Gregory the Fifteenth, and a constitution founded thereon by Benedict the Fourteenth, any Priest is to be denounced who endeavors to seduce his penitents in the Confessional, he asks the following question :

Confessarius sollicitavit pœnitentem ad turpia, non in confessione, nec occasione confessionis, sed ex alia occasione extraordinaria: An est denunciandus?

A Confessor has seduced his penitent to the commission of carnal sin, not in confession, nor by occasion of confession, but from some other extraordinary occasion : Is he to be denounced?

R. Negative. Aliud foret, si ex scientia confessionis sollicitaret, quia, v. g. ex confessione novit illam personam deditam tali peccato venereo. *P.* Antoine, t. 4, p. 430.

Answer. No. *If he had tampered with her, from his knowledge of confession, it would be a different thing, because, for instance, he knows that person, from her confession, to be given to such carnal sins.* *P.* Antoine, t. 4, p. 430.

Propterea monet Steyartius, quod Confessarius pœnitentem, qui confite-

For which reason Steyart reminds us that a Confessor can ask a penitent,

tur se peccasse cum Sacerdote, vel sollicitatum ab eo ad turpia, interrogare possit utrum ille sacerdos sit ejus Confessarius, an in confessione sollicitaverit, &c.

An denuntiatio fieri debet, quando dubium est, utrum fuerit vera et sufficiens sollicitatio ad turpia?

R. Quidam negant, sed Card. Cozza cum aliis, quos citat dub. 25, affirmat, si dubium non sit leve, dicens examen illud relinquendum Episcopo sive Ordinario.—*Dens.* t. 6, p. 294-5.

who confesses that she has sinned with a priest, or has been seduced by him to the commission of carnal sin, whether that priest was her Confessor or had seduced her in the Confessional.

Ought the denunciation be made, when there exists a doubt whether the solicitation to carnal sin was real and sufficient?

Answer. Some say No, but Card. Cozza with others whom he cites, doubt 25, says yes, if the doubt be not light, adding that the examination of the matter is to be left to the Bishop or the Ordinary.—*Dens.* v. 6, p. 294-5.

De Modo Denuntiandi Sollicitantem Præfatum.

Primus modus magis conveniens est, si ipsa persona sollicitata immediate, nulli alteri revelando, accedat Episcopum sive Ordinarium, 20. Postest Episcopo scribere

On the mode of denouncing the aforesaid seducer.

The first and most convenient mode is this, if the person upon whose chastity the attempt had been made, would proceed herself immediately to the Bishop or the Ord-

epistolam clausam et signatam sub hac forma: *Ego Catharina N. habitans Mechliniæ in platea N. sub signo N. hisce declaro me 6 Martii anno 1758 occasione confessionis fuisse sollicitatem ad inhonesta a Confessario N. N. excipiente confessiones Mechliniæ, in Ecclesia N. quod juramento confirmare parata sum.*

3d. Si autem scribere nequeat, similis epistola scribatur ab alio, v. g. a secundo Confessario cum licentia pœnitentis, et nomen pœnitentis seu personæ sollicitatæ exprimitur ut supra: sed nomen Confessarii sollicitantis, ut occultum maneat scribenti, non exprimitur, verum a tertio aliquo, rei ignaro, in chartula aliqua nomen ejus scribatur sub alio præ-

nary, without revealing the circumstance to any one else. 2d. She can write a letter closed and sealed to the Bishop in the following form:—*I, Catharine N. dwelling at Mechlin in the street N. under the sign N. by these declare that I, on the 6th of March, 1758, on the occasion of confession, have been seduced to improper acts by the Confessor N. N. hearing confessions at Mechlin, in the church N. which I am ready to confirm on oath.*

3d. But if she cannot write, let a similar letter be written by another, namely, by a second Confessor, with the license of the penitent, and let the name of the penitent or person seduced be expressed as above, but let the name of the seducing Confessor, in order that it may remain a secret to the writer, be not expressed, but let his name be written

textu, quæ chartula epistolæ præfatæ includatur.

In hoc casu (denunciationis) tamen quidam putant moderandum, et considerandas esse circumstantias frequentiæ, periculi, &c.—*Dens*, tom. 6, p. 295.

Monentur interea Confessarii, ut mulierculis quibuscunque accusantibus priorem Confessarium, fidem leviter non adhibeant; sed prius scrutentur occasionis finem et causam, examinent earum mores, conversationem, &c.

Quocirca observa, quod quæcunque persona, quæ per se vel per aliam falso denuntiat sacerdotem tanquam sollicitatorem, incurrat casum reservatum Summo Pontifici. Ita Benedictus XIV. Constit.

under a different pretext, by some third person ignorant of the circumstances, on some scrap of paper which may be enclosed in the aforesaid letter.

In this case, (of denouncing,) however, some are of opinion that *moderation* must be observed, and that the circumstances of *frequency*, of *danger*, &c. must be considered.—*Dens*, v. 6, p. 295.

In the mean time, Confessors are advised *not lightly to give credit to any woman whatsoever* accusing their former Confessor, but first to search diligently into the end and cause of the occasion, to examine their morals, conversation, &c.

For which reason observe, that whatever person, either by herself or by another, falsely denounces a priest as a seducer, incurs a case reserved for the supreme Pontiff. Thus Benedict the Four-

Sacramentum Pœnitent. apud Antoine, p. 418.

Benedictus XIV. in Constit. citata numero 216, reservavit sibi et successoribus peccatum falsæ denunciationis Confessarii sollicitantis ad turpia.—*Dens*, tom. 6, pp. 295-6-7.

Alloquim puellæ est occasio proxima illi qui ex decem vicibus bis vel ter solet cadere in peccatum carnis vel in delectationem carnis deliberatam.

Frequentatio quotidiana tabernæ aut puellæ censetur esse occasio proxima respectu ejus, qui ex ea vel ter immense prolabitur in simile peccatum mortale.

Idem resolvit P. Du Jardin pag. 51 de administratione quotidiana alicujus officii licet honesti, v. g. Medici, Confessarii,

teenth, in the Constitution called "*Sacramentum Pœnitentiæ*" in Antoine, p. 418.

Benedict the Fourteenth, in the Constitution cited in No. 216, *reserves to himself and his successors* the sin of falsely denouncing a Confessor for seducing his penitent to commit carnal sin.—*Dens*, vol. 6. pp. 295-6-7.

Speaking to a girl is a proximate occasion (of sin) to him, who, out of every ten times, is wont to fall twice or thrice into carnal sin, or into deliberate carnal delight.

Daily frequenting a tavern or a girl is considered a proximate occasion (of sin) in respect of him, who, on that account, falls twice or thrice a month into like mortal sin.

P. Du Jardin is of the same opinion, (p. 51,) respecting the daily administration of any office, however honest, for instance,

Causidici, Mercatoris, si inde quis bis terve per mensem deliberate cadere soleat, et pag. 53 concludit Confessarium obligari ad deserendum illud ministerium.

Obj. Confessarius ille quotidie occupatus in ministerio audiendi confessiones rarissime cadit comparative ad vices, quibus non cadit; ergo ministerium audiendi confessiones respectu illius non est occasio proxima.

R. Neg cons. quia ille, licet non comparative, absolute tamen frequenter cadit; qui enim per singulos menses committeret duo vel tria injusta homicidia, diceretur absolute frequenter committere homicidium, ille Confessarius toties occidit animam

of a Physician, a Confessor, a Lawyer, a Merchant, if any should on that account be accustomed to fall deliberately two or three times a month, and in page 53 he concludes that the Confessor is bound to desert that ministry.

Obj. That Confessor every day occupied in the ministry of hearing confessions, falls very seldom in comparison with the times he does not fall; therefore the ministry of hearing confessions is not with respect to him a proximate occasion (of sin).

Answer. I deny the consequence, because he, though not comparatively, *does*, however, *absolutely full frequently*, for he who would commit two or three unjust homicides every month, should be said absolutely to commit homicide frequently, so

suam.—*Dens*, tom. 6, p. 175.

often does that Confessor
slay his own soul.—*Dens*,
v. 6, p. 175.

**De justis causis permittendi
Motus Sensualitatis.**

*Justa causa est auditio
confessionum.*

Quanta debet esse causa, ob quam quis se possit habere permissive ad motus inordinatos, sic ut illi motus non censeantur voluntarii nec culpabiles?

R. Debet esse tanta ut cum suo effectu bono in his circumstantiis prævaleat istis motibus seu effectu malo, juxta regulam N. 15 explicatam.

Hujusmodi justæ causæ sunt auditio confessionum, lectio casuum conscientiæ pro Confessario, servitium necessarium vel utile præstitum infirmo.

**On just causes for permitting
Motions of Sensuality.**

*Hearing of confessions
is a just cause.*

How great ought to be the cause, for which one can hold himself permissively with regard to inordinate motions, so as that they may be considered neither voluntary nor culpable?

Answer. It ought to be so great as to prevail with its good effect in these circumstances, over those motions or the bad effect, according to the rule explained in No. 15.

Just causes of this sort are the hearing of confessions, the reading of cases of conscience drawn up for a Confessor, necessary or useful attendance on an invalid.

Justa causa facere potest, ut opus aliquod. ex quo motus oriuntur, non tantum licite inchoetur, sed etiam licite continuetur: et ita Confessarius ex auditione Confessionis eos percipiens, non ideo ab auditione abstinere debet, sed justam habet perseverandi rationem, modo tamen ipsi motus illi semper displiceant, nec inde oriatur proximum periculum consensus.—*Dens*, tom. 1, pp. 299, 300.

In omni peccato carnali circumstantia conjugii sit exprimenda in confessione.

An aliquando interrogandi sunt conjugati in confessione circa negationem debiti?

R. Affirmative: presertim mulieres, quæ ex igno-

The effect of a just cause is such, that any thing from which motions arise, may be not only lawfully begun, but also lawfully continued: and so the Confessor receiving those motions from the hearing of confessions, ought not on that account to abstain from hearing them, but has a just cause for persevering, providing however, that they always displease him, and there arise not therefrom the proximate danger of consent.—*Dens*, v. 1, pp. 299, 300.

In every carnal sin, let the circumstance of marriage be expressed in confession.

Are the married to be at any time asked in confession about denying the marriage duty?

Answer. YES: particularly the WOMEN* who,

* *Women.* The following passage is taken from the Moral Theology, in which the young priests are lectured in Maynooth: the reader will perceive that it is almost word for word the same with that selected from Peter Dens:

rantia vel præ pudore peccatum istud quandoque *through ignorance or modesty are sometimes silent on*

Quæres 1o. An teneantur conjuges reddere debitum?

Are man and wife bound to render each other matrimonial duty?

R. Teneri utramque conjugem sub mortali injustitiæ peccato comparti reddere debitum, dum vel expresse vel tacite exigitur, nisi legitima causa de negandi intervenerit. Id constat ex S. Paulo, 1 Corinth. 7.

Answer. Each is bound under a mortal sin of injustice to render matrimonial duty to his or her partner, whilst it is expressly or tacitly required, unless there should occur a legitimate reason for refusing. That is manifest from St. Paul, 1 Corinth. chap. 7.

Dixi autem 1o. *utrumque conjugem teneri*; in eo enim pares sunt ambo conjuges, ut patet ex verbis Apostoli.

But I have said that each is bound, for in this affair both man and wife are equal, as is clear from the words of the Apostle,

Dixi 2o. eos teneri *sub peccato mortali*, quia res est per se gravis, cum inde nascantur rixæ, odia, dissensiones, parsaque debito fraudata incontinentiæ periculo exponatur: quod lethale est. Hinc Parochus aut per se in Tribunali Pœnitentiæ aut saltem, et quidem aliquando prudentius piæ matris ministerio, edocere debet sponso et præsertim sponsas, quid in hac parte observandum sit. Cum vero mulieres ejusmodi peccata in confessione sacramentali præ pudore aut

I have said in the second place, that they are bound under mortal sin, because it is a weighty affair in itself, since it is the active cause of quarrels, hates, dissensions, and since the party defrauded of duty is exposed to the danger of incontinence, which is a deadly sin: hence the Parish Priest, either himself personally in the Tribunal of Penance, (the Confessional,) or at least (and sometimes more prudently) by the agency of a pious matron, ought to inform married

reticent ; verum non ex ab abrupto, sed prudenter est interrogatio instituenda v. g. an cum marito rixatæ sint, quæ hujusmodi rixarum causa ; num propter talem occasionem maritis debitum negarint ; quod si deliquisse fateantur, caste interrogari debent, an nihil secutum fuerit continentiae

that sin ; but the question is not to be put abruptly, but to be framed prudently, for instance, whether they have quarrelled with their husbands ; what was the cause of these quarrels ; whether they did upon such occasions deny their husbands the marriage duty ; but if they acknowledge they have trans-

ignorantia non raro reticeant expedit aliquando de iis illas interrogare, sed caute et prudenter, non ex abrupto : v. g. inquiri potest an disidia fuerint inter eam et conjugem, quæ eorum causæ, qui effectus, an propterea marito denegaverit quod ex conjugii legibus ei debetur.—*Maynooth Class Book, Tract. de Matrimo.* p. 482.

persons, and particularly married women, of what they should observe with respect to this matter. But since women, through modesty or ignorance, not unfrequently conceal sins of that sort in sacramental confession, it is expedient sometimes to interrogate them regarding those sins, but cautiously, prudently, not abruptly : for instance, it may be asked whether there have been any dissensions between her and her husband—what was the cause—and what the effect of them—whether she has on that account denied to her husband what is due to him by the laws of marriage.—*Maynooth Class Book, Tract on Matrimony,* p. 482.

conjugali contrarium, v. g. pollutio, &c.

Hinc uxor se accusans in confessione quod negaverit debitum interrogetur, an maritus ex pleno rigore juris sui id petiverit; idque colligetur, ex eo, quod petiverit instanter, quod graviter fuerit offensus, quod aversiones vel alia mala sint secuta, de quibus etiam se accusare debet, quia fuit eorum causa: contra si confiteatur rixas vel aver-

gressed, they ought to be asked chastely, WHETHER ANY THING FOLLOWED CONTRARY TO CONJUGAL CONTINENCE, namely, POLLUTION, &c.

Hence let the wife accusing herself in confession of having denied the marriage duty, be asked whether the husband demanded it with the full rigor of this right; and, that shall be inferred from his having demanded it instantly, from his having been grievously offended, or from aversions or any other evils having followed

Notatur, quod pollutio in mulieribus quandoque possit perfici, ita ut semen earum non effluat extra membrum genitale; indicium istius allegat Billuart, si scilicet mulier sentiat seminis resolutionem cum magno voluptatis sensu, qua completa passio sentiatur.—*Dens*, tom 4, p. 330.

It is remarked that women may be guilty of perfect pollution, even without a flow of their semen to the outside of the genital member (the passage); of which Billuart alleges a proof, if, for instance, the woman feel a resolution (loosening) of the semen with a great sense of pleasure, which being completed, *her passion is satiated*.—*Dens*, v. 4, p. 330.

siones adversus maritum interrogari potest ; an debitum negaverit ?—*Dens*, tom. 7, pp. 149–50.

Variis modis peccari potest contra bonum prolis, scilicet 1o. peccant viri, qui committunt peccatum Her et Onan, quos, quia rem hanc detestabilem fecerunt, interfecit Dominus. Genesis 38.

2o. Peccant uxores, quæ potionibus fœtus conceptionem impediunt, aut susceptum viri semen ejiciunt,

of which she ought also to accuse herself, because she was the cause of them ; on the other hand,* if she confess that there exists quarrels and aversions between her and her husband, she can be asked, whether she has denied the marriage duty.—*Dens*, v. 7, pp. 149–50.

Sin can in various modes be committed against the good of the offspring : * 1 stly, the men sin, who commit the sin of Her and Onan, whom, because they did this detestable thing, the Lord slew. Genesis 38.

2dly. The wives sin, who prevent the conception of the fœtus with potions, or eject or endeavor to eject the

* Quid est bonum prolis ?

R. Legitima prolis generatio et ejusdem inveri Dei hultu educatio.—*Dens*, tom. 7, p. 146.

* What does “ the good of the offspring ” mean ?

Answer. It means the legitimate generation of offspring, and the education of the same in the worship of the true God.—*Dens*, v. 7, p. 146.

vel ejicere conantur.--*Dens*, tom. 7, p. 147.

Notent hic Confessarii, quod conjugati, ne proles nimium multiplicentur, aliquando committunt detestabilem turpitudinem, in similitudinem Her et Onan, circa quod peccatum examinandi sunt.--*Dens*, tom. 7, p. 153.

Ne Confessarius hæreat iners in circumstantiis aliqujus peccati indagandis, in promptu habeat hunc circumstantiarum versiculum:

Quis, quid, ubi, quibus auxiliis, cur, quomodo, quando.—*Dens*, tom, 6. p. 123.

An Confessarius potest absolvere sponsam, dum cognoscit ex sola confessione sponsi, quod sponsa in confessione reticeat fornicationem habitam cum sponso?

R. Varias reperio opi-

seed received from the man.—*Dens*, v. 7, p. 147.

Here let the Confessors take note, that the married, lest their children should multiply too fast, sometimes commit a detestable turpitude like that of Her and Onan, *about which sin* THEY ARE TO BE EXAMINED.—*Dens*, v. 7, p. 153.

Lest the Confessor should indolently hesitate in tracing out the circumstances of any sin, let him have the following versicle of circumstances in readiness:—

Quis, quid, ubi, quibus auxiliis, cur, quomodo, quando.—*Dens*, v. 6, p. 123.

Can a Confessor absolve a young woman going to be married, whilst he knows solely from the confession of the betrothed husband, that she does not disclose in her confession the fornication she has been guilty of with her betrothed?

Answer. I find various

niones: La Croix, lib. 6. p. n. 1969, existimat sponsam non esse absolvendam, sed dissimulanter dicendum; *Miseriatur tui*, &c. ita ut ipsa ignoret sibi absolutionem negari.

Prudentes Confessarii solent et statuunt regulariter inquirere ab omnibus sponsis, utrum occasione futuri matrimonii occurrerint cogitationes quædam inhonestæ? Utrum permiserint oscula, et alias majores libertates ad invicem ex eo, quod forte putaverint jam sibi plura licere?

Cum verecundia soleat magis corripere sponsam, propterea solemus prius in confessione audire sponsum, ut sponsa postea confidentius exponat, quod novit jam esse notum Confessario.

opinions: La Croix thinks that she ought not to be absolved, but that the Confessor should *dissemble*, and say *Miseriatur tui*, &c. so that she may not know that absolution has been denied her.

Prudent Confessors are wont, and lay it down regularly to ask from all young women going to be married, whether from occasion of their approaching marriage there occurred to them any improper thoughts? whether they permitted kisses and other greater alternate liberties, because perhaps they thought that greater freedoms would soon be allowed them?

And since the young woman is more under the influence of modesty, we are wont for that reason to hear the betrothed husband's confession first, that she may afterwards more confidently reveal to the Confessor what she knows to be now known to him.

Addunt aliqui, sponsum qui prius confitetur, posse induci, ut dicat sponsæ, se peccatum illud aperte esse confessum. Post confessionem sponsæ id non licet amplius.—*Dens*, tom. 6, pp. 239–40.

An licita est delectatio morosa de opere jure naturæ prohibito, sed sine culpa formali hic et nunc posito, v. g. delectatio de pollutione nocturna involuntaria?

R. Neg. quia objectum delectationis est intrinsecus malum, adeoque deliberata delectatio de ea est mala.

Multi tamen, ut Salmanticenses, Vasquez, Billuart, Antoine, &c. putant quod licet illicitum sit delectari de homicidio, ebrietate, &c. involuntarie commissis, illicitum tamen non sit, ob finem bonum de pollutione mere naturali

Some Divines add that the betrothed husband, who makes his confession first, can be induced to tell her that he has openly confessed that sin. After the young woman's confession, that would be no longer in the Confessor's power.—*Dens*, v. 6, pp. 239–40.

Is morose delight allowed on a thing prohibited by the law of nature, but here and now having taken place without a formal fault, for instance, delight on nocturnal involuntary pollution?

Answer. No, because the object of the delight is intrinsically bad, and therefore deliberate delight respecting it is also bad.

Many, however, as Salmanticenses, Vasquez, Billuart, Antoine, &c. think that although it is unlawful to delight on homicide, drunkenness, &c. involuntarily committed, it is not unlawful, however, on account of the good end to

et involuntaria delectari; vel affectu simplici et inefficaci eam desiderare.

Hujus sententiæ etiam est S. Antonius parte 2. tit. 6, cap. 5.

Dicitur "affectu simplici et inefficaci;" quia si desideretur efficaciter, ita ut ex desiderio pollutio causetur, vel media, ut eveniat, adhibeantur, certum est juxta omnes quod sit peccatum mortale. Ratio horum Authorum est, quod pollutio mere naturalis et involuntaria nullo jure prohibeatur: cum sit effectus mere naturalis, seu mera naturæ evacuatio, ut sudor, saliva, &c. ac proinde nequidem materialiter seu objective mala, unde illam ut talem inefficaciter velle non est peccatum.—*Dens*, tom. 1, p. 310–11.

Quid est morosa delectatio?

R. Est voluntaria com-

delight on merely natural and involuntary pollution, or to desire it with a simple and inefficacious affection.

Of this opinion also is Saint Anthony, part 2. tit. 6, chap. 5.

They say "with a simple and inefficacious affection," because if it be desired efficaciously, so as that the pollution be caused by the desire, or means employed that it may happen, it is certain according to all that it is a mortal sin. The reason of these authors is, that pollution merely natural and involuntarily is prohibited by no law; since it is a merely natural effect, or a mere evacuation of nature, like sweat, saliva, &c. and therefore it is by no means materially or objectively bad; whence it is not a sin *to wish* for it inefficaciously as such.—*Dens*, v. 1, p. 310–11.

What is "morose delight?"

Answer. It is a voluntary

placencia circa objectum illicitum absque voluntate implendi seu exequendi opus.

Vocatur "morosa" non a mora temporis, quo durat; nam unico instanti perfici potest; sed a mora rationis, quæ delectationem hanc, postquam eam advertit, repellere negligit; et sic ratio est in mora fungendi suo officio. Potest etiam dici, quia ratio ei moratur absque voluntate procedendi ad ipsum opus.

In qua materia hæc delectatio locum habet?

R. Quamvis delectatio morosa frequentius contingat circa venerea, locum tamen habere potest in quacumque materia, ut circa furtum, pugnam, vindictam, &c.—*Dens*, tom. 1, p. 303.

An persona conjugata peccat delectando vene-

complacence about an illicit object without a wish of performing or executing the work.

It is called "morose," not from the delay (mora) of time during which it lasts, for it may be complete in an instant, but from the delay of reason, which neglects to repel this delight after it has perceived it; and thus reason delays in discharging its own office. It can also be called "morose," because reason dwells on it without a wish of proceeding to the work itself.

In what matter does this delight take place?

Answer. Although morose delight more frequently happens about venereous matters, however it can take place in any matter whatsoever, as about theft, about fighting, about revenge, &c.—*Dens*, v. 1, p. 303.

Does a married person sin in delighting venere-

ree de copula vel tactibus cum comparte habitis aut habendis, si compars sit absens tempore delectationis, infirma, &c. adeo ut copula hic et nunc sit impossibilis?

R. Si delectando se exponat periculo pollutionis, certo peccat mortaliter, contra castitatem, et etiam contra justitiam. Si vero absit periculum pollutionis, Sanchez, Sylvius, Steyart et Daelman eam a mortali liberant, quia honestas status matrimonialis videtur talem delectationem a mortali excusare. Alii tamen probabilius similem delectationem consent mortalem, ut Navarrus, Billuart, Collet, Antoine, &c.—*Dens*, tom. 1, p. 315.;

An quisipiam voto castitatis obstrictus facit contra suum votum, si aliis personis liberis sit causa libidinis, v. g. si consulat

ously on copulation or on touches, which she has had or is to have, if at the time of the delight her partner be absent or infirm, &c. so as that copulation be here and now impossible?

Answer. If in delighting she expose herself to the danger of pollution, she certainly sins mortally against chastity and also against justice. But if there be no danger of pollution, Sanchez, Sylvius, Steyart and Daelman free her from mortal sin, because the honesty of the matrimonial state seems to excuse such delight from mortal sin.—Others, however, as Navarrus, Billuart, Collet and Antoine, &c. think with more probability that such delight is a mortal sin.—*Dens*, v. p. 315.

Does any one bound by a vow of chastity act against his vow if he be the cause of lechery to others, who are free from

aliis, ut illi inter se fornicentur?

R. Peccat peccato scandal, et fit reus fornicationis illorum; verum tamen non videtur violare votum proprium mere ob fornicationem aliorum, si absit complacentia propria, quia non vovit servare castitatem alienam, sed propriam, sicuti conjugatus id consulens non peccat contra fidem matrimonii sui.

Obj. Vovens castitatem vovet non co-operari aut consentire ulli peccato contra castitatem.

R. Id negatur.—*Dens*, tom. 4, p. 377.

Quantum est peccatum exercere actum conjugalem ob solam voluptatem?

R. Cum S. Aug. et S. Thom. Suppl. q. 49, a. 6, in corp. esse solummodo

such vow: for instance, if he advise others to commit fornication with one another?

Answer. He is guilty of the sin of scandal, and stands arraigned of their fornication; however, he does not seem to violate his own vow merely on account of the fornication of others, if he feel no complacency himself; *because he has made no vow to preserve the chastity of others*, but his own, just as a married man advising it does not sin against the faith of his matrimony.

Obj. He that makes a vow of chastity, vows not to co-operate with, or consent to any sin against chastity.

Answer. THAT IS DENIED.—*Dens*, v. 4, p. 377.

How great is the sin to exercise the conjugal act solely for pleasure?

I answer with St. Augustine and St. Thomas, (Suppl. 49, &c.) that it is

ex natura sua veniale; quia hæretur, ut sopponitur, intra limites legitimi matrimonii; potest tamen esse mortale ratione finis, vel aliarum circumstantiarum: puta si v. g. vir ita voluptate captus sit, ut accedens ad uxorem, paratus sit ad eam accedere, licet uxor non foret, vel si tempore actus conjugalis affectum et delectationem habeat erga aliam, cujus etiam qualitates tunc erunt in confessione exprimendæ, puta quod sit conjugata, consanguinea, &c. idque præcipue est cavendum in bigamis, ne dum copulatur conjugii secundæ, affectum ponat in priori.

only venial in its own nature, because it is fixed, as is supposed, within the limits of legitimate matrimony; however it may be a mortal sin by reason of the end, or other circumstances; suppose, for instance, if the man were so seized with pleasure, that, going to his wife, he were ready to go to her, though she were not his wife, or if, at the time of the conjugal act, he have his affection and delight towards another, whose qualities also (i. e. as well as the foregoing circumstances) shall then (in that case) be expressed in confession, suppose that she is married, that she is his blood-relation, &c. and this is particularly to be guarded against in those who are married a second time, lest, while he is copulating with his second wife, he may fix his affection on the first.

An liceat actum conjugalem exercere partim ob

Is it lawful to exercise the conjugal act partly for

debitum finem, puta generationem prolis, et partim ob delectationem?

R. Negative: quia tunc finis equidem partialiter est inordinatus, cum ex parte obediatur libidini, sic que partialiter invertitur ordo a Deo et natura constitutus. —*Dens*, t. 7, p. 163.

An licitum est petere debitum conjugale ex solo fine vitandi propriam incontinentiam, non concurrente fine generationis prolis, vel redditionis debiti?

R. Pontius cum multis aliis affirmat, sed melius cum SS. Agustino et Thoma videtur neganlum. —*Dens*, tom. 7, p. 164.

Conjugatis proponi potest: an pacifice vivant? An honesto modo utantur matrimonio? An periculo pollutionis sese exposuerint? An proles Christiane educent?

the due end, namely, the generation of offspring, and partly for delight?

Answer. No, because then indeed the end is partially inordinate, since in part obedience is given to lust, and thus the order appointed by God and by nature is partially inverted. —*Dens*, v. 7, p. 163.

Is it lawful to ask conjugal duty solely with the end or view of avoiding incontinence in one's self, and without the concurring end of generating offspring or of rendering duty?

Answer. Pontius and many others say Yes, but it seems better to say No with St. Augustine and St. Thomas. —*Dens*, v. 7, p. 164.

To the married it can be proposed: whether they live peaceably? Whether they enjoy matrimony in an honest way? Whether they have exposed themselves to the danger of pollution? Whether they

Circa quæ specialiter examinari possunt adolescentes ætatis circiter viginti annorum, sati vegeti et mundani, vel potui dediti?

R. Circa peccata luxuriæ primo per generales interrogationes et a longinquo: v. g. an pœnitens frequentet personas alterius sexus? Si concedat; an sint dicta quæ dam verba honesta? Quid secutum? &c. Si neget, potest inquiri: An aliquando vexetur inhonestis cogitationibus vel somniis? Si affirmet, ad interrogationes ulterioris progredi oportet.

Eadem prudentiæ forma observabiter circa adolescentulam vel mulierem vane comptam.—*Dens*, t. 6, p. 125.

bring up their children like Christians.

About what can young men be specially examined at the age of about twenty years, sufficiently vigorous and like many men of the world, or given to drink?

Answer. About the sins of luxury, first by general questions and from afar: for example, whether the penitent frequents persons of the other sex? If he allow that he does; whether any improper words were said? What followed? &c. If he answer in the negative, it can be asked; whether he is at any time tormented with improper thoughts or dreams? If he say Yes, it is fit to proceed to other questions.

The same form of prudence shall be observed about a young girl or a woman vainly decked.—*Dens*, v. 6, p. 125.

De Peccatis Carnalibus Conjugum inter se.

Certum est, conjuges inter se peccare posse, etiam graviter contra virtutem castitatis, sive continentię, ratione quarundam circumstantiarum; in particulari autem definire, quę sunt mortales, quę solum veniales, per obscurum est, nec eadem omnium sententia; ut vel ideo sollicitè persuadendum sit conjugatis, ut recordentur se esse filios Sanctorum, quos decet in sanctitate conjugali filios procreare. Quidam Authores circumstantias circa actum conjugalem pręcipue observandas, exprimunt his versibus:

“Sit modus, et finis, sine damno
solve, cohære.
Sit locus et tempus, tactus, nec
spernito votum.”

On the Carnal Sins which Man and Wife commit with one another.

It is certain that man and wife can sin grievously against the virtue of chastity or continence, with regard to certain circumstances relating to the use of their bodies; but to define particularly what are mortal, what only venial, is a matter of very great difficulty, nor are all writers of one opinion on the subject; so that, even on that account, the married ought to be anxiously advised to recollect that they are the children of the saints, and should therefore beget children in conjugal sanctity. The circumstances which are chiefly to be observed in the performance of the conjugal act, some authors express in the following verses:

[These four lines are so extremely obscene that we think it best not to give them in English.]

Ergo debet servari modus, sive situs, qui dupliciter nvertitur, lo. ut non servetur debitum vas, sed copula habeatur in vase præpostero, vel quocumque alio non naturali; quod semper mortale est spectans ad sodomiam minorem, seu imperfectam, idque tenendum contra quosdam laxistas, sive copula ibi consummetur, sive

Therefore method or posture ought to be observed, which is inverted in a two-fold way: 1st, when the proper passage or vessel is not kept, but the connection takes place in the hinder passage or vessel, or in any other not ordained by nature for that purpose, which is always a mortal sin, tending to that which is called minor* or

* *Minor sodomy.* In the fourth volume, he divided sodomy into two species, perfect and imperfect, or minor.

Quid est sodomia perfecta?

What is perfect sodomy?

R. Est congressus carnalis inter personas ejusdem sexus, nimirum masculi cum masculo, feminæ cum femina, in quocunque vase congressus fiat.

Answer. It is carnal congress between persons of the same sex, namely, of a male with a male, of a female with a female, in whatever vessel the congress may take place.

Sodomia imperfecta sive sodomia minor est congressus carnalis maris cum femina, sed extra vas feminine naturale, v. g. si vir effundat semem suum retro per anum in intestinum stercoreum feminæ.—*Dens*, tom. 4, p. 379.

Imperfect or minor sodomy is the carnal congress of a male with a female, but without the natural vessel of the female, for instance, if the man discharge his semen behind through the anus into the stercoreous intestine of the woman.—*Dens*, v. 4, p. 379.

tantum inchoetur consum-
manda in vase naturali.

Modus sive situs inver-
titur, ut servetur debitum
vas ad copulam a natura
ordinatum, v. g. si fiat ac-
cedendo a præpostere, a
latere, stando, sedendo, vel
si vir sit succumbus, Mo-
dus is mortalis est si inde
suboriatur periculum pollu-
tionis respectu alterius, sive
quando periculum est, ne
semen perdatur, prout sæpe
accidit, dum actus exerce-
tur stando, sedendo, aut
viro succumbente : si absit
et sufficienter præcaveatur
istud periculum, ex com-
muni sententia id non est
mortale : est autem veniale
ex gravioribus, cum sit in-
versio ordinis naturæ ; est
que generatim modus ille
sine causa taliter coeundi

imperfect sodomy, and this
must be held against cer-
tain Divines of loose opin-
ions, whether the connec-
tion be consummated there,
(in the improper passage)
or be only begun there to
be consummated in the
natural passage.

Method or posture is in-
verted, though the con-
nection take place in the
passage or vessel appointed
by nature for that purpose,
for instance, if it be done
by an attack from behind,
or when the parties are on
their sides, or standing, or
sitting, or when the hus-
band lies underneath his
wife. This method of
doing it is a *mortal sin*, if
there should therefrom
arise to either party a dan-
ger of pollution, or of lo-
sing the seed, a thing which
often happens when the act
is performed standing, or
sitting, or the husband
lying underneath ; but if
that danger be sufficiently
guarded against, it is not,

graviter a Confessariis reprehendendus : si tamen ob justam rationem situm naturalem conjuges immutent, secludaturque dictum periculum nullum est peccatum, ut dictum est in numero 48.

Minuitur periculum perdendi semen, si verum sit, quod dicunt Sanchez, Billuart et Preinguez, scilicet quod in matrice sit naturalis vis attractiva seminis, ut in stomacho respectu cibi.

Nota quod in præfatis modis non tantum peccetur contra castitatem, sed etiam contra justitiam, juxta dicta

in the common opinion of Divines, a mortal sin : yet it is one of the weightier sort of venial sins, since it is an inversion of the order of nature ; and, in general, that method of thus coming to coition *must, when without sufficient cause, be severely censured by the Confessors* : if, however, man and wife, for some just reason, change the natural posture, and if the aforesaid danger (of losing the seed) be secluded, there will be no sin, as has been said in number 48.

The danger of losing the seed is lessened, if that be true which is said by Sanchez, Billuart, and Preinguez, to wit, that the womb has a natural power of attraction with respect to the seed, as the stomach has with respect to meat.

Take note, that in the aforesaid ways the parties sin not only against chastity, but even against jus-

Num. 45: ita ut actus illi induant quandam malitiam adulterii, præter peccatum mutui scandali.

Debet finis esse legitimus, de quo et quomodo ratione finis peccari possit, dictum est Num. 51 et sequentibus.

Per particulam "sine damno" importatur cavendum esse damnum tum prolis conceptæ et concep-iendæ, tum ipsorum congregientium, de quibus egimus Num. 47.

Verbum "solve" importat obligationem solvendi sive reddendi debitum legitime petatum, de qua obligatione diximus Nom. 46 et sequentibus.

Per verbum "cohære" intelligitur cohærentia us-

tice, according to what has been said in No. 45; so that those acts invest themselves, as it were, with the malice of adultery, besides the sin of mutual scandal.

The "end" ought to be legitimate, concerning which, and in what manner the parties may commit sin with regard to the end, we have treated in No. 51, and those following it.

The words "without loss" import that care must be taken that no injury be done to an offspring already conceived, or that about to be conceived, or to the parties themselves meeting in the act of coition, concerning which we have treated in No. 47.

The word "pay" imports the necessity of paying the debt when legitimately asked, concerning which we have treated in No. 45, and those following it.

By the word "cohere" is understood the necessity

que ad perfectam copulam, seu semi-nationem perfectam, ita ut per se mortale sit, inchoatam copulam ab-rumpere, propter periculum pollutionis in utraque vel alterutra parte: Sanchez, Pontius, Billuart et alii dicunt quidem, id tantum esse veniale, si cessante omni periculo pollutionis in utroque, fiat ex mutuo consensu, antequam saltem femina seminaverit; sed ipsi fatentur periculum illud ordinarie subesse.

Locus debet esse actui conjugali proportionatus, adeoque non publicus, seu talis, in quo ab aliis videatur, et sic potest esse mortalis ratione scandali, prout etiam ratione sacrilegii, si sit locus sacer. Vide Num. 48.

of coherence or of sticking close till the act of copulation is perfected, or until the parties spend completely, so that it is in itself a *mortal sin* to break off an act of coition when commenced, on account of the danger of pollution in both or either of the parties; Sanchez, Pontius and other Divines say, that if the act be broke off without danger of pollution in both, and by mutual consent, at least before the woman spends, it is only a venial sin, but those writers themselves admit that to cut short the act is ordinarily attended with that danger.

The place ought to be proportioned to the conjugal act, and therefore not public, nor such as that the act may be seen by others, and thus it may be a mortal sin by reason of the scandal, as also by reason of the sacrilege, if the place be sacred. See No. 48.

Quomodo ratione temporis in actu conjugali peccari possit. Vide Num. 47.

Quoad tactus libidinosos, quos conjugati exercent erga corpus alterutrius, ii sunt mortaliter mali, si fiant cum pollutione alterius, vel ejus periculo.

Si absit periculum pollutionis, et ordinentur ad copulam, tunc vel ad eam necessarii sunt, et sic non sunt peccaminosi, vel non sunt ad eam necessarii et erunt venialiter mali, quia solius causa voluptatis haberi supponuntur.

Si tactus illi, secluso pol-

How, with regard to the circumstance of time, sin may be committed in the conjugal act. See No. 47.

As to the libidinous touches which the married practice on the body of one another, they are *mortally sinful* if they are done with pollution, or with danger thereof.

If there be no danger of pollution, and if they be done in order to copulate, then they either are, or are not necessary for that purpose; if they are necessary, they are not sinful: if they are not necessary they are venially sinful, because they are supposed to be practised for the sake of pleasure alone.

If those touches,* though

* The same obscenities are inculcated in the Class Books at Maynooth, from one of which the following passage on the doctrine of touches is extracted:

Quid sentiendum sit detactibus obscœnis inter conjuges?

What must we think about obscene touches between man and wife?

lutionis periculo, non referantur ad copulam, non ita conveniunt Authores; the danger of pollution be excluded, have no reference to copulation, Authors

R. Sambovius ea de re consultus reposuit 1o. tactus inhonestos, si exerceantur cum periculo pollutionis esse peccata lethalia. 2o. Eos nullatenus esse peccata si absque pollutionis periculo adhibeantur ut necessarii ad usum matrimonii, nec pravo fine fiant, quia conjuges tendunt ad aliquid honestum. Si tamen per verso motivo, v. g. propter voluptatem exerceantur, sunt culpæ veniales, etiamsi ad matrimonium ordinentur. 3o. Si non adhibeantur in ordine ad usum matrimonii; nec adsit pollutionis periculum, sunt culpæ veniales, juxta eundem Doctorem, quem sequuntur alii Theologi, qui tamen confitentur esse quosdam tactus adeo turpes et infames ut a mortali excusari nequeant, sive ad matrimonium referantur, sive non.—*Tract. de Matrimonio. p. 502.*

Answer.—*Sambovius* having been consulted on that affair, replied—1st, that dishonest touches, if they be exercised with danger of pollution, are deadly sins. 2d, that they are not sins at all, if, without danger of pollution, they be applied as necessary to the use of matrimony, and be done with no vicious end, because the married couple are preparing for something honest. If, however, they (the touches) be exercised from a perverse motive, for example, for pleasure, they are venial sins, although they be designed for matrimony. 3d, if they be not applied in order to the use of matrimony, and if there be no danger of pollution, they are venial sins, according to the same Doctor, whom other Divines follow, who nevertheless admit that some touches are so base and infamous that they cannot be excused from mortal sin, whether they have referred to matrimony or not.—*Maynooth Class Book Tract on Matrimony, p. 502.*

docent plerique, quod si sint adeo infames, ut nequidem ex copulæ intuitu excusentur a gravi peccato, eos esse mortaliter malos, si vero sint tactus ordinarii, nec diu in eis sistatur, docent plurimi contra eosdem esse tantum venialiter malos; quia voluptas illa non quæritur extra limites Matrimonii.

Tactus libidinosus proprii corporis in uno conjugē similiter est mortalis; si fiat cum periculo pollutionis. Si absit periculum pollutionis, et fiat comparte absente, ex communi sententia, inquit Billuart, est etiam mortalis: quia actus ille tunc ex natura sua non ordinatur ad copulam, sed ad pollutionem; idemque propter rationem eandem sustinent, varii de delectatione venerea circa copulam, comparte absente: de

are not so agreed. Most writers teach that, since they are so infamous as not to be excused from weighty sin, when done even with a view to copulation, they are mortally sinful; but if the touches be ordinary, and not persevered in for any length of time, Divines in great numbers teach against the same, that they are only venially sinful, because that pleasure is not sought without the limits of matrimony.

In like manner, if the husband libidinosely touch his own body, or the wife hers, it is a mortal sin, if it be done with danger of pollution. If there be no danger of pollution, and if it be done in the absence of the partner, it is nevertheless, says Billuart, in the common opinion, a mortal sin; because the act is then from its own nature not designed for copulation, but pollution; and for the same reason various writers main-

quo latius in tractatu de peccatis.

Si vero fiat comparte præsente, potest fieri sine peccato, dum fit ex intentione copulæ; si absit intentio copulæ, dicunt aliqui eum tactum esse mortalem; sed distinguit Billuart; scilicet, dicendo eum non esse mortalem, si conjux saltem habeat animum copulandi, casu quo excitetur; mortalem vero, si nullo modo habeat animum copulandi, licet excitetur, quia tunc tactus ille potius ordinatur ad pollutionem, quam ad actum conjugalem.

Quæ de tactibus libidinis dicta sunt, applicari possunt libidinis osculis, amplexibus, aspectibus, colloquiis, &c. videri etiam

tain the same opinion on venereal delight about copulation, the partner being absent: on which more at large in the tract on sins.

If, indeed, it be done in the presence of the partner, it can be done without sin, providing it be done from an intention to copulate; but if there be no intention to copulate, some writers say that those touches are a mortal sin; but Billuart distinguishes, to wit, by saying that they are not a mortal sin if the husband have at least a mind to copulate, in which case he may be excited, but that they are a mortal sin if he have by no means a mind to copulate, though he be excited, because then those touches are designed rather for pollution than for the conjugal act.

What we have said on libidinous touches can be applied to libidinous kisses, embraces, looks, conversation, &c. You may also see

possunt, quæ docentur tract. De Temperantia.

An uxor possit se tactibus excitare ad seminacionem, si a copula conjugali se retraxerit, maritus, postquam ipse seminaverit, sed antequam seminaverit uxor?

R. Plurimi negant; eo quod, cum vir se retraxerit, actus sit completus, adeoque illa seminatio mulieris foret peccatum pollutionis: alii vero affirmant: quia ista excitatio spectat ad actus conjugalis complementum et perfectionem: excipiuunt tamen casum, ubi periculum est ne semen ad extra profundatur.

Hanc posteriorem sententiam ad exorbitantes opiniones laxiorum refert Henricus a S. Ignatio.

what is taught in the tract on Temperance.

Can a wife by touches excite herself to spend, if the husband has withdrawn himself from conjugal copulation, after he has spent himself, but before the wife has spent.

Answer. Very many say no; because when the husband has withdrawn himself, the act is complete, and therefore that spending of the woman would be a sin of pollution: but others say yes; because that artificial mode of excitement tends to the completion and perfection of the conjugal act; they, however, except the case where there is danger, lest the seed may be poured forth to the outside.

Henricus, from St. Ignatius refers this last opinion to the exorbitant opinions of the more lax Divines.

No. 63 De Confessione.

No. 63 v. 6. page 78-79.

Dens, tom 6. p. 78-79.

Quid est consessio sacramentalis?

R. Est voluntaria peccatorum suorum accusatio, facta Sacerdoti jurisdictionem habenti ad remissionem eorum impetrandam virtute."

"*Obj.* Nectarius Episc. Constantin, sæculo quarto abrogavit confessionem, prout referunt Socrates et Sozomenus: ergo confessio non est juris divini."

R. Baronius arguit falsitatis eorum Historias."

"*Responsio communis* dicit, ibidem abrogatam fuisse, non confessionem sacramentalem, sed confessionem publicam, coram populo, vel forte solam confessionem publicam peccatorum occultorum, vel solam expressionem comlicis; occasione, quod quædam mulier nobilis zelo

What is sacramental confession?

Answer. It is the voluntary accusation of one's own sins made to a priest (or a bishop) having jurisdiction in order to obtain remission of them, by virtue of the keys.

Obj. Nectarius the bishop of Constantinople abrogated confession in the fourth century; as Socrates and Sozomenus relate: then confession is not of divine institution.

Answer. Baronius charges their histories of falsehood.

The usual answer is, that in this time (or century) sacramental confession was not abrogated, but public confession before the people, or perhaps only the public confession of secret sins, or the mere mention of an accomplice from the cause or occasion that a certain noble woman

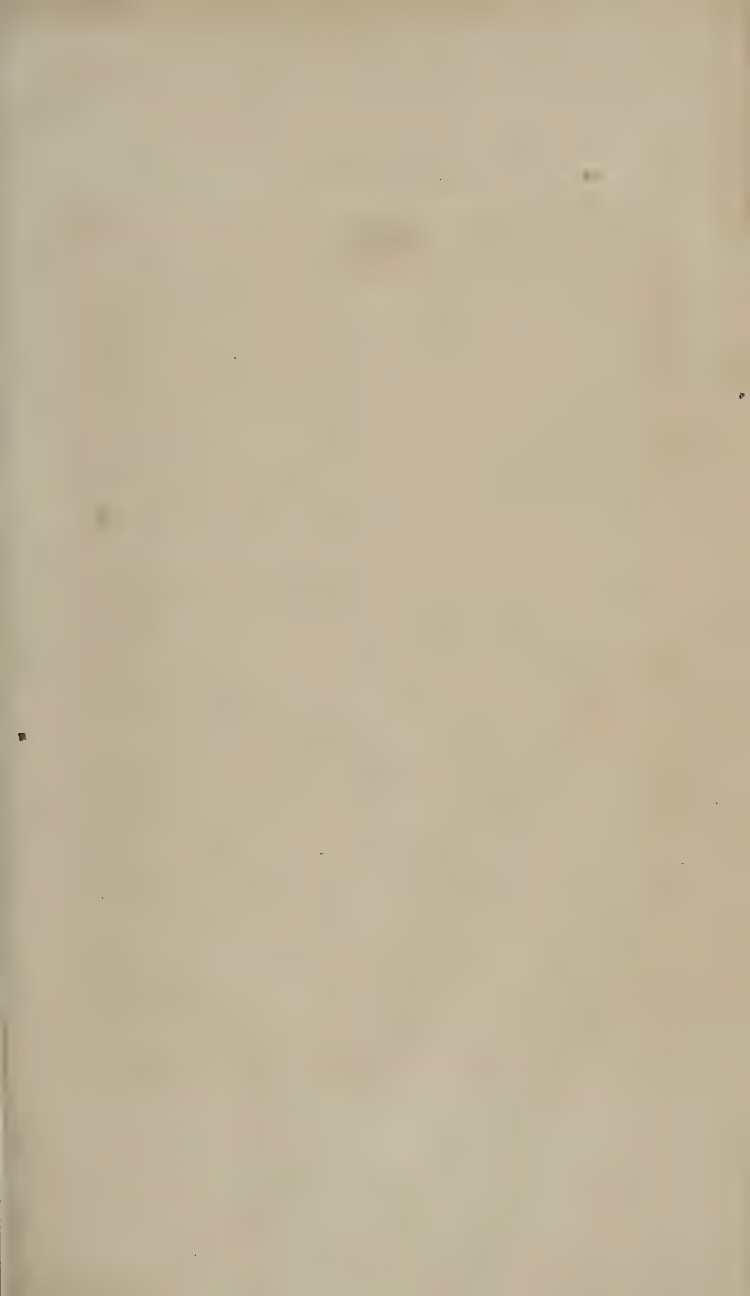
indiscreto publice confessa
esset peccatum com Daicono
in Templo, ex qua confes-
sione publica scandalum
et murmuratio populi pro-
fluxerant. In Occidente
tamen usus confessionis
publicæ ultra sæculum
sextum perduravit."

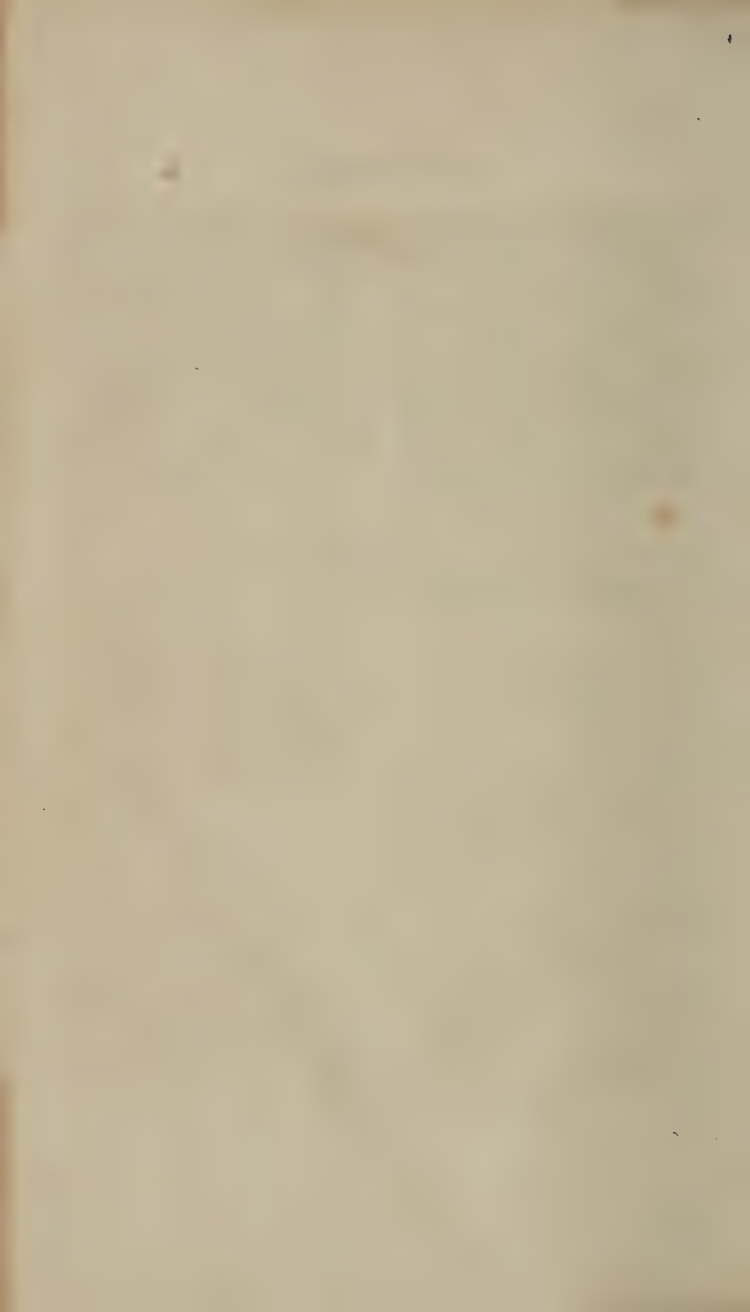
through an indiscreet zeal
had publicly confessed a
sin with a deacon in the
Temple, from which pub-
lic confession, scandal and
murmuring of the people
had resulted. In the west
notwithstanding, the prac-
tice of public confession
continued until beyond the
sixth century.

Translated by

E. L. ZOSIMUS.

Monk of La Trappe.







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